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Marechal et al. has been cited to teach a suitable coercivity for a magnetic card structure is 300-600 Oe, which the Examiner urges reads on the claimed range of 20-320 kA/m.

In the transferable magnetic tape of the present invention, when a magnetic card is manufactured by using the transferable magnetic tape, a great design can be formed on a magnetic stripe, and at the same time, occurrences of variations in reproduced output caused by the aforementioned design can be controlled. In order to achieve the aforementioned objective, the transferable magnetic tape of the present invention has a printed layer, a magnetic, recording layer, and an adhesive layer layered in sequence upon a backing film, with said printed layer closest to said backing film, wherein said printed layer formed on the backing film comprises a pattern printed region and a filling layer region other than the pattern printed region, wherein the thickness of said printed layer comprising said two regions is uniform. Therefore, the magnetic recording layer formed thereon also forms a smooth boundary surface with the printed layer, and can have a uniform thickness.

As a result, a magnetic card manufactured via a transferring step has a magnetic recording layer having a uniform thickness, and a printed layer having a uniform thickness and having a smooth boundary surface with the other layer is formed on the magnetic recording layer.

The Examiner has urged that Kubota et al discloses a printed layer having a uniform thickness.

Applicants respectfully disagree.

Kubota et al describes magnetic cards having various types of design patterns in order to enhance designs. Kubota et al focuses on a positional relation between the printed layer forming the design pattern and the layers other than the printed layer, and describes basic manufacture steps for manufacturing the magnetic card. However, Kubota et al emphasizes the arrangement of the overall printed layer in the magnetic card in order to provide a design, and fails to describe specified properties of

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the printed layer itself such as "uniform thickness". In addition, Kubota et al fails to disclose that the printed layer will affect output properties of the magnetic card, and therefore, fails to describe or suggest control of variations in reproduced output which is one of the objectives of the present invention.

Fig. 5 of Kubota et al shows a cross-sectional view of a magnetic card as described in a magnetic card type shown in Fig. 3, in which a design pattern is formed independently with respect to the position of the magnetic recording layer. Fig. 5 is merely a schematic view for an easily comprehensible positional relationship in which the printed layer forming the design pattern is not necessarily positioned just above the magnetic recording layer. Fig. 5 shows the pattern region 5a and the non-pattern region 5b, because the boundary between the design pattern and the background must be clearly shown in order to clarify that the position at which the design pattern is formed is different from the position of the magnetic recording layer in the cross-sectional view. In the case in which the overall design pattern is formed on the magnetic recording layer, as shown in Fig. 4, the positional relation between the design pattern and magnetic recording layer is clear. For this reason, it is not necessary to specify the non-pattern region. In fact, in the cross-sectional view of Fig. 6 or Fig. 7, the non-pattern region is not clearly specified.

Kubota et al fails to specify the thickness of either the pattern printed region or the thickness of the non-pattern printed region, and, therefore, fails to specify a uniform thickness thereof, as recited in claims 1 and 12 of the present invention.

In fact, Kubota et al states that a coating film for the non-pattern region (non-pattern portion) 5b in Fig. 5 may not be provided, and the color of a masking layer which is a lower layer may be exposed in a modification example. Therefore, as described above, it is clear that there is no conception of "printed layer having a uniform thickness" shown in Fig. 5 of Kubota et al. Consequently, a "printed layer having a uniform thickness" is not an essential constituent in Kubota et al.

In addition, the present invention relates to a transferable magnetic tape for manufacturing a magnetic card via a transferring step. The uniformity of the

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printed layer which is first formed on the backing film has much effect on the properties of the magnetic layer formed thereon. For this reason, for the uniformity of the printed layer, more severe conditions are required. Kubota et al also describes a transferable magnetic tape in Fig. 14 or the like. However, Kubota et al fails to disclose or suggest uniformity of the thickness of the printed layer as claimed in the present invention.

Thus, the 35 U.S.C. §103(a) rejection should be withdrawn.

In view of the aforementioned comments, a Notice of Allowance, at an early date, is requested.

In the event that this paper is not timely filed, Applicants respectfully petition for an appropriate extension of time. Please charge any fees for such an extension of time and any other fees which may be due with respect to this paper, to Deposit Account No. 04-1105.

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